

EXHIBIT A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

COMPLIANT CORPORATION)

Plaintiff)

vs.)

DONALD C. HUTCHINS)

Defendant)

Civil Action No. _____

JUDGE GAUGHAN
MAG. JUDGE PERELMAN

**DEFENDANT'S NOTICE OF REMOVAL OF THIS CIVIL ACTION TO THE
JURISDICTION OF THE U. S. DISTRICT COURT NORTHERN DISTRICT OF
OHIO PURSUANT TO FED. R. CIV. 11, 28 U.S.C. § 1441 AND § 1446 (a)**

Parties

- 1.) The Plaintiff, Compliant Corporation ("Compliant") was dissolved as a corporation in October of 2003. Prior to dissolution Compliant was incorporated in the State of Delaware. The given address of the Compliant Corporation is c/o Calfee, Halter & Griswold LLP, 1400 McDonald Investment Center, 800 Superior Avenue, Cleveland, Ohio 44114.
- 2.) The Defendant, Donald C. Hutchins ("Hutchins") is an individual residing at 1047 Longmeadow Street, Longmeadow, Hamden County, Massachusetts and is a citizen of the United States.

Jurisdiction

- 3.) This Court has subject matter jurisdiction over these matters pursuant to the question of Patent Law Title 35 U.S.C. § 101-376, Trademark Law Title 15 U.S.C. § 1051-1127, Copyright Law Title 17 U.S.C. § 101-810, 1001-1010.

I hereby certify that this instrument is a true and correct copy of the original on file in my office.
Attest: Gari M. Smith, Clerk
U.S. District Court
Northern District of Ohio
By: *[Signature]*
Deputy Clerk

- 4.) Hutchins' intellectual properties in dispute are included herein as Exhibits A, B, C, and D. U.S. Patent Office Form AO 120 and a Civil Cover Sheet are included with this filing.

Background

COMES NOW Defendant Donald C. Hutchins, and hereby moves this Court to instruct the Clerk to remove Case No: CV04540066 from the Cuyahoga County Court of Common Pleas to the jurisdiction of the U. S. District Court Northern District of Ohio pursuant to Fed. R. Civ.11, 28 U.S.C.§1441(a), §1446(a). Grounds for this Motion include subject matter and federal question jurisdiction.

A. Federal Courts have Subject Matter Jurisdiction over Patent Actions.

Case No. CV 04 540066 was filed by the Compliant Corporation in response to Hutchins' patent infringement action 04-30126-MAP ("126") as is clearly stated in paragraph 3 of Compliant's Complaint. Patent infringement action '126 continues in the district court of Massachusetts. Hutchins' infringement action '126 against Cardiac Science Inc. was filed on July 2, 2004 and preceded Ohio Case CV 04 540066. Federal Courts have Subject Jurisdiction over Patent Actions.

B. Federal Courts have federal question jurisdiction.

Compliant filed Case No. CV 04 540066 in Ohio to obstruct justice for patent infringement that Hutchins had filed for and was seeking in Massachusetts District Court CA 04-30126-MAP . The Supreme Court of Ohio declined jurisdiction relating to the federal constitutional questions raised in '066 and placed these federal questions in the jurisdiction of the federal court system.

C. Defendant's Motion to Dismiss under FED.R. CIV. P.12(b)(1) is based on federal subject matter jurisdiction.

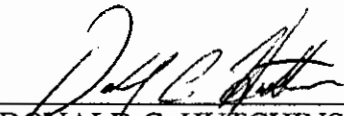
Hutchins moved the Court to dismiss Plaintiff's Complaint under Federal Rule 12(b) within 30 days of the '066 Complaint being filed. The Motion was made pursuant to Rule (b)(1). Grounds for dismissal argued in a memorandum to the Cuyahoga County Court of Common Pleas was that under Fed. R.Civ.P12(b)(1) a state court lacks jurisdiction of the subject matter of counts I, II, III of the Complaint.

Conclusion

For all the foregoing reasons, the Defendant Donald C. Hutchins prays that Case No: CV04540066 be removed to federal court.

Respectfully submitted,

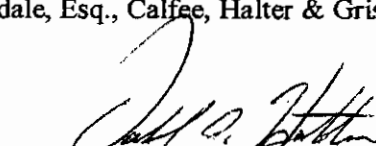
Dated: September 26, 2006


DONALD C. HUTCHINS, Pro Se
1047 Longmeadow Street
Longmeadow, MA 01106
Phone: (413) 567-0606

CERTIFICATE OF SERVICE

I, Donald C. Hutchins, 1047 Longmeadow Street, Longmeadow, Massachusetts 01106, hereby certify that I served a copy of the foregoing on the appropriate party by sending a copy of the same by first class mail to: Jeffrey J. Lauderdale, Esq., Calfee, Halter & Griswold, LLP, 800 Superior Avenue, Cleveland, Ohio 44114.

Dated: September 26, 2006


Donald C. Hutchins